

**NEW GRAND
JURORS ARE
WARNED NOT
TO TALK**

Testimony of Witnesses
Must
Not Be Divulged, Says
Judge Hill

Judge Ben H. Hill, of Fulton Superior Court, in swearing in the March term Grand Jury Monday morning, called their particular attention to the portion of the Oath relating to the Secrecy of Grand Jury matters and cautioned them particularly against divulging the testimony of witnesses.

The Judge said he made this statement because the Grand Jury oath had recently been misconstrued by a member of the Grand Jury, not intentionally, he thought, but misconstrued

nevertheless, and he wanted to guard against a recurrence of such a misconstruction.

Although Judge Hill did not mention the name of the Grand Juror in question, it was generally understood in the Court Room that he had reference to I. N. Hirsch, a member of the Grand Jury which returned indictments against Dan S. Lehon, C. C. Tedder and Arthur Thurman for Subornation of Perjury in the Frank Case.

"I want to remind you," said Judge Hill to the Jury, "that your deliberations and contemplated action are to be kept inviolately secret. No Grand Juror should divulge the testimony of a witness, the language of the Solicitor, or the language of any fellow Juror."

"I make this statement because the Grand Juror's oath has recently been misconstrued by a member of the Grand Jury. Not intentionally, I am sure, but misconstrued nevertheless. He divulged the testimony of certain witnesses to the Attorneys for the Defendants who were indicted. His interpretation of the Oath, as he stated, was that it did not apply to the testimony of witnesses before the Grand Jury.

VIOLATIONS OF OATH.

"This Court is strongly of the opinion that the testimony of a witness cannot be divulged any more than the Advice and Counsel of the Solicitor the opinions of the other members of the Jury as expressed by them in the Jury Room. To divulge the testimony of a witness is a violation of your Oath. In the Case I refer to, the Oath was violated, not intentionally, but violated just the same.

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the same. What transpires in the Jury Room is sacred, and is not to be divulged except as a sworn witness in Open Court. The Court took no action in the Case referred to because he did not believe it was a willful or intentional violation of the Oath. But the Court wishes to stress upon you the strict interpretation of the Oath in order that you may be clear in your understanding of it."

In the Case of Mr. Hirsch, he was a member of the Grand Jury which returned true bills against Lehon, Tedder and Thurman on the charge of Subornation of Perjury, and he divulged to Attorney Arthur G. Powell, leading Counsel for the Defendants, certain information as to the testimony of C. B. Ragsdale and R. L. Barber before the Jury, which information the Attorneys for the Defense presented to the trial Jury for the purpose of showing that the Grand Jury was not impressed with the strength of the Case against Lehon, Tedder and Thurman, and only returned true bills to satisfy Solicitor Dorsey.

READING OF OATH.

Mr. Hirsch, when put on the Stand as a witness for the Defense, and when scored by Solicitor Dorsey on cross-examination for what the Solicitor insisted was a violation of his Oath, replied to the Solicitor by saying he conferred with his own Attorneys as to the interpretation of the Oath and was satisfied it did not Apply to the testimony of witnesses.

The portion of the Oath in question reads as follows:

"The State's Counsel, your fellows (Counsel) and your own, you shall keep secret."

Mr. Hirsch, in his testimony in the Lehon trial, contended that this language made no mention of the testimony of witnesses.